

December 19, 2012

The Lincoln County Commissioners met for a regular session on December 19, 2012, at the Eureka annex of the Lincoln County Courthouse. Present are Commissioner Marianne Roose, Commissioner Tony Berget, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer. Commissioner Ron Downey is out ill.

10:30 AM: Commissioner Roose **opened the meeting** with the Pledge of Allegiance.

10:30 AM: **Tracy McIntyre, TVID:** Tracy gave an update of the Tobacco Valley Industrial District. She is starting a class soon for small business owners. Tracy talked about the CEDS document. She wants to do a separate CEDs document for the North end of the county. She does not agree with the way the county CEDs is being written.

11:30 AM: **Tim Orthmeyer, Morrison Maierle:** Tim brought the final papers for the lighting project at the Libby Airport for signatures. He also has the Eureka Airport plan for signatures. Tim has grant papers to sign for the Libby Airport Grant for 2013.

11:35 AM: The commissioners read the **minutes of the December 5, 2012 meeting**. Commissioner Berget moved to approve the minutes as written and it carried.

11:40 AM: **Tax Abatement** for Stimson Lumber/Stapley property on #18022 to waive penalty and interest on taxes due to an error in the addressing. Commissioner Berget moved to approve waiving the penalties and interest of \$708.91 and it carried.

11:45 AM: **Tax Abatement** for Troyer #13662 to refund taxes that were paid after the land was changed to tract land per a request from the Department of Revenue. Commissioner Berget moved to approve the tax abatement of \$229.44 and it carried.

1:30 PM: **Turtle Lake Zoning District, Public Hearing:** Commissioner-elect Mike Cole is present at this meeting. Kristin Smith, County Planner, presented the information on the proposal. The Planning Board reviewed this on November 27th, and December 11th, 2012. The Turtle Lake property owners have initiated this proposal due to RV parks turning up all over the North part of Lincoln County. There are 11 properties in the district, 10 of which touch Turtle Lake. Jan Bertelson-James spoke in favor of the zoning. She stated that the RV parks are the issue. She feels that the lake quality would be compromised if RV parks are allowed and too many people are using the very small lake. She stated that there is a misconception that this will cost the county money, which is not true. She feels that the zoning will protect the lake for future generations. She praised the Planning Board for dealing with this request. She said they do not oppose all RV parks in the Eureka area but in the Turtle Lake area, there is no room. She stressed that people who are not property owners on Turtle Lake are the ones against this zoning. Dan Taylor is a property owner on Turtle Lake. He is not in favor of the zoning. He is wondering who will be monitoring the Permitted Uses section of the zoning district document. He asked about the 14 day limit of the RV parked at properties, the ability to live in an RV while building a home, but for a limit of one year, the restrictions of businesses on the properties, ancillary residences, and vehicles on property also concern him. Dave Heckler is a property owner as well. He purchased his property hoping it would never change, he is in favor of the zoning so that he can have a better guarantee that it would not change. He helped develop this document for zoning and it was a 6 month process. He feels that they own that lake and it is their right to protect it. Melissa Taylor said that she was not told about the zoning plan until after the plan was in place. She was told that it was for keeping out RV parks but not about the other parts of the zoning document. She is against the RV parks. Beverly Cass owns a lot which is not on the lake but is included in the zoning. She is in favor of the zoning for the same reasons as Jan and Mr. Heckler as well as the increase of traffic. Robert Brown has property near the lake but not included in the zoning district. He is against zoning period. He came here to get away from zoning. Gary Crandall grew up in San Diego, California and he has seen where zoning has been used against people. He lectured about living in Montana and why he moved here. Carol Blake does not own property in the proposed area. She said the area that she lives in has been invaded by RV's. She said the residents of this community need to decided what kind of community they want to be; it is becoming a huge RV park. She talked about how much an RV lot devalues the property next to it. She sold Real Estate for many years and knows what she is talking about. Mike Workman submitted a letter against the proposal. He said he loves the community as well. He said he feels this is "pocket zoning" and he is against it. Zoning is frightening to him. He said he can sell land that accepts RV's twice as easy as a residential land. Jerry Croskey agreed with Mike Workman concerning the value of land when RV's are allowed on properties. He feels that developers will allow zoning in the subdivisions which make the county deal with the costs of the enforcement. Carol Blake explained the difference between covenants and zoning. Zoning doesn't require that the individuals spend their own money to go to court and fight their neighbors. Zoning is more like a law and is enforceable by sheriff's department and the county officials so zoning holds more weight. Tony Pino owns land in Coyote Run and is a testament to the lack of enforcements of covenants. He told about the trouble they are having in their subdivision with RV's. Glen Cherry asked if it was true that RV's don't pay taxes on their RV. He was told that they only pay taxes on the land. He asked why the tax structure couldn't be adjusted to address that issue. He was told that the state department of revenue would deal with that. Greg Hoffman from the Fish and Game said that he is interested in this issue because the ground water is impacted by Turtle Lake.

3:00 PM: The **meeting was adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Marianne Roose, Chairman

ATTEST: _____
Tammy D. Lauer, Clerk of the Board